

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JENNIFER OLDHAM,

Plaintiff,

v.

THE PENNSYLVANIA STATE  
UNIVERSITY, *et al.*,

Defendants.

No. 4:20-CV-02364

(Chief Judge Brann)

**ORDER**

**MAY 13, 2022**

In accordance with the accompanying Memorandum Opinion, **IT IS  
HEREBY ORDERED** that the Defendants' motions to dismiss (Doc. 106; Doc.  
108; Doc. 109) are **GRANTED**:

1. Count I (Title IX – deliberate indifference) is **DISMISSED WITH  
PREJUDICE**.
2. Count II (Title IX – retaliation / hostile work environment) is  
**DISMISSED WITH PREJUDICE**.
3. Count III (defamation) is **DISMISSED WITHOUT PREJUDICE**.
4. Count IV (negligent failure to train/supervise) is **DISMISSED  
WITHOUT PREJUDICE**.
5. Count V (battery) is **DISMISSED WITH PREJUDICE**.

6. Count VI (negligence / gross negligence) is **DISMISSED WITH PREJUDICE.**

7. Count VII (negligent/intentional infliction of emotional distress) is **DISMISSED WITH PREJUDICE.**

If Plaintiff Jennifer Oldham elects to plead over on Counts III and IV, she must file an amended complaint on or before June 3, 2022.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge